

ASSEMBLY BILL

No. 2236

Introduced by Assembly Members Santiago and Bonta
(Coauthor: Senator Stone)

February 18, 2016

An act to amend Section 21627 of the Business and Professions Code, relating to secondhand goods.

LEGISLATIVE COUNSEL'S DIGEST

AB 2236, as introduced, Santiago. Secondhand goods: tangible personal property.

Existing law requires secondhand dealers and coin dealers to, among other things, report certain secondhand tangible personal property taken in trade or pawn, accepted for sale on consignment, or accepted for auctioning, to the chief of police or to the sheriff, as specified. Existing law defines “tangible personal property” for these purposes to include and exclude specified types of property. Existing law includes in this definition secondhand tangible personal property that bears specified unique identifiers or that bears, at the time it is acquired by the secondhand dealer, evidence of having had such specified unique identifiers. Existing law also includes in this definition all tangible personal property that bears specified unique identifiers that is purchased by a secondhand dealer or a pawnbroker or that bears, at the time of such purchase, evidence of having had specified unique identifiers. Existing law also includes in this definition tangible personal property that the Attorney General statistically determines through the most recent Department of Justice “Crime in California” report to constitute a significant class of stolen goods, as defined.

This bill would define “tangible personal property” to exclude these specified types of property that have a value of \$950 or less.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 21627 of the Business and Professions
2 Code is amended to read:

3 21627. (a) As used in this article, “tangible personal property”
4 means all secondhand tangible personal property *whose value*
5 *exceeds nine hundred fifty dollars (\$950) and* which bears a serial
6 number or personalized initials or inscription or which, at the time
7 it is acquired by the secondhand dealer, bears evidence of having
8 had a serial number or personalized initials or inscription.

9 (b) “Tangible personal property” also means the following:

10 (1) All tangible personal property, new or used, including motor
11 vehicles, received in pledge as security for a loan by a pawnbroker.

12 (2) All tangible personal property *whose value exceeds nine*
13 *hundred fifty dollars (\$950) and* that bears a serial number or
14 personalized initials or inscription which is purchased by a
15 secondhand dealer or a pawnbroker or which, at the time of such
16 purchase, bears evidence of having had a serial number or
17 personalized initials or inscription.

18 (3) All tangible personal property that the Attorney General
19 statistically determines through the most recent Department of
20 Justice “Crime in California” report to constitute a significant class
21 of stolen ~~goods~~; *goods and whose value exceeds nine hundred fifty*
22 *dollars (\$950)*. A list of such personal property shall be supplied
23 by the Attorney General to all local law enforcement agencies and
24 posted on the Attorney General’s Internet Web site. Such list shall
25 be updated annually by the Attorney General, beginning January
26 1, 2016, to ensure that it addresses current problems with stolen
27 goods.

28 (c) As used in this article, “tangible personal property” does not
29 include any new goods or merchandise purchased from a bona fide
30 manufacturer or distributor or wholesaler of such new goods or
31 merchandise by a secondhand dealer. For the purposes of this
32 article, however, a secondhand dealer shall retain for one year
33 from the date of purchase, and shall make available for inspection

1 by any law enforcement officer, any receipt, invoice, bill of sale
2 or other evidence of purchase of such new goods or merchandise.

3 (d) As used in this article, “tangible personal property” does
4 not include coins, monetized bullion, or commercial grade ingots
5 of gold, silver, or other precious metals. “Commercial grade ingots”
6 means 0.99 fine or finer ingots of gold, silver, palladium, or
7 platinum, or 0.925 fine sterling silver art bars and medallions,
8 provided that the ingots, art bars, and medallions are marked by
9 the refiner or fabricator as to their assay fineness.

10 (e) For purposes of this article, a “significant class of stolen
11 goods” means those items determined through the Department of
12 Justice’s annual “Crime in California” report to constitute more
13 than 10 percent of property reported stolen in the calendar year
14 preceding the annual posting of the list of significant classes of
15 stolen goods.